APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,966	11/01/2001	Zissis Trabaris	10860/46002	6957

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EXAMINER
NGUYEN, VAN H

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>1</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>01 November 2001</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-32* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☐ Claim(s) _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☒ Claim(s) *1-32* are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-32 are presented for examination.

Election/Restrictions

2.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

        I.   Claims 1-22, drawn to a distributed processing system comprising: (a) a plurality of discrete, autonomous program processes, wherein each program process is capable of generating destinationless messages; (b) at least one data repository for receiving and storing destinationless messages generated by program processes; wherein each program process is associated with configuration information, which includes information for associating a program process with a data repository in at least one of a read and write capacity, classified in class 709, subclass 201.

        II.   Claims 23-27, drawn to a method for application development comprising the steps of: (a) defining at least one module, wherein a module includes a discrete code element and performs a functional behavior; (b) defining an interaction configuration between the at least one module to achieve an application behavior, wherein the interaction configuration includes re-configurable communication pathways for an exchange of messages between a first module and a second module; (c) defining a deployment configuration for the application, wherein the deployment configuration defines at least a relationship between each module and one or more hosts within a computing environment; (d) deploying the modules to the computing environment

as a function of the deployment configuration; and, (e) establishing the communication pathways

between the at least one module as a function, classified in class 719, subclass 313.

III.   Claims 28-29, drawn to a program module comprising: (a) an initialization

function process, wherein the initialization function process is executed upon an initialization of

the program module; (b) a work function process, wherein the work function process exhibits a

behavior associated with the program module; and, (c) a termination function process, wherein

the termination function process is executed upon a termination of the program module,

classified in class 718, subclass 100.

IV.   Claims 28-29, drawn to a distributed application development system comprising

a processor, wherein the processor is adapted to: provide a graphical user interface ("GUI")

wherein the GUI: (a) provides for a specification of a plurality of discrete, autonomous program

processes to be used in the application, and receives information relating thereto; (b) provides for

a specification of a plurality of communication pathways between the plurality of program

processes and receives information relating thereto; and, (c) provides for a specification of a

deployment configuration and receives information relating thereto; wherein the processor is

further adapted to modify runtime configuration information relating each of the program

processes as a function of the information received by the GUI, classified in class 345, subclass

418.

3.   Inventions I and II are related as subcombinations disclosed as usable together in a single

combination. The subcombinations are distinct from each other if they are shown to be

separately usable. In the instant case, invention I has separate utility such as a distributed

processing system comprising: (a) a plurality of discrete, autonomous program processes,

wherein each program process is capable of generating destinationless messages; (b) at least one data repository for receiving and storing destinationless messages generated by program processes; wherein each program process is associated with configuration information, which includes information for associating a program process with a data repository in at least one of a read and write capacity. See MPEP § 806.05(d).

4.   Inventions I and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a distributed processing system comprising: (a) a plurality of discrete, autonomous program processes, wherein each program process is capable of generating destinationless messages; (b) at least one data repository for receiving and storing destinationless messages generated by program processes; wherein each program process is associated with configuration information, which includes information for associating a program process with a data repository in at least one of a read and write capacity. See MPEP § 806.05(d).

5.   Inventions I and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a distributed processing system comprising: (a) a plurality of discrete, autonomous program processes, wherein each program process is capable of generating destinationless messages; (b) at least one data repository for receiving and storing destinationless messages generated by program processes; wherein each program process is associated with configuration information, which

includes information for associating a program process with a data repository in at least one of a read and write capacity. See MPEP § 806.05(d).

6.   Inventions II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as a method for application development comprising the steps of: (a) defining at least one module, wherein a module includes a discrete code element and performs a functional behavior; (b) defining an interaction configuration between the at least one module to achieve an application behavior, wherein the interaction configuration includes re-configurable communication pathways for an exchange of messages between a first module and a second module; (c) defining a deployment configuration for the application, wherein the deployment configuration defines at least a relationship between each module and one or more hosts within a computing environment; (d) deploying the modules to the computing environment as a function of the deployment configuration; and, (e) establishing the communication pathways between the at least one module as a function. See MPEP § 806.05(d).

7.   Inventions II and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as a method for application development comprising the steps of: (a) defining at least one module, wherein a module includes a discrete code element and performs a functional behavior; (b) defining an interaction configuration between the at least one module to achieve an application behavior, wherein the interaction configuration includes re-configurable communication pathways for an

exchange of messages between a first module and a second module; (c) defining a deployment

configuration for the application, wherein the deployment configuration defines at least a

relationship between each module and one or more hosts within a computing environment; (d)

deploying the modules to the computing environment as a function of the deployment

configuration; and, (e) establishing the communication pathways between the at least one

module as a function. See MPEP § 806.05(d).

8.   Inventions III and IV are related as subcombinations disclosed as usable together in a

single combination. The subcombinations are distinct from each other if they are shown to be

separately usable. In the instant case, invention III has separate utility such as a program module

comprising: (a) an initialization function process, wherein the initialization function process is

executed upon an initialization of the program module; (b) a work function process, wherein the

work function process exhibits a behavior associated with the program module; and, (c) a

termination function process, wherein the termination function process is executed upon a

termination of the program module. See MPEP § 806.05(d).

9.   These inventions are distinct for the reasons given above, and the search required for

each Group is different and not co-extensive for examination purpose.

10.   For example, the searches for the two inventions would not be co-extensive because these

groups would require different searches on PTO's classification class and subclass as following:

        (a) the Group I search (claims 1-22) would require use of search class 709, subclass 201

(which would not required for the groups II, III, and IV) .

(b) the Group II search (claims 23-27) would require use of search class 719, subclass

313 (which would not require for the groups I, III, and IV).

c) the Group III search (claims 28-29) would require use of search class 718, subclass

100 (which would not require for the groups I, II, and IV).

d) the Group IV search (claims 30-32) would require use of search class 345, subclass

418 (which would not require for the groups I, II, and III.

11.   Applicant is advised that the response to this requirement to be complete must include an

election of the invention to be examined even though the requirement is traversed.

Conclusion

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765.

The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The

examiner can also be reached on alternative Friday.

13.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (571) 272-3756.

14.   The fax phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

15.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner for patents
P O Box 1450
Alexandria, VA 22313-1450

12/08/04

Van H. Nguyen